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09/680,583	10/06/2000	Mike G. Gyde	H0001641	1855

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EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/29/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,583

Applicant(s)

GYDE ET AL.

Examiner

Nhon (Gary) D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment C, filed 11/19/2003.
2. Claims 1-17 are pending in this application. Claims 1, 8, 12, and 14 are independent claims. In the Amendment A, claims 1-3, 7, 8, 12, and 14-17 are amended. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 12-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hartel et al ("Hartel", US 5,454,074).

As per independent claim 1, Hartel teaches a method of window management on a display, the display having a plurality of windows, wherein at least one window of the plurality of windows includes at least one checklist selection frame having a layout and a list of available checklists (checklist 72 and checklist 80 of fig. 4), and each of the available checklists having at least one task (task 74 of checklist 72 and task 84 of checklist 80 of fig. 4), said method comprising the steps of:

Receiving a selection for a selected checklist from the list of available checklists (select on *Normal* or *N-Normal* button; fig. 4);

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storing the layout of the at least one checklist selection frame from which the selected checklist is selected (col. 9, lines 30-45); and

opening and displaying a window containing synoptic information related to said selected checklist (fig. 2).

As per claim 2, which is dependent on claim 1, Hartel teaches the step of opening and displaying a window containing said synoptic information further comprises opening and displaying a synoptic frame including a synoptic page (fig. 2; the synoptic window in fig. 2 is also a synoptic frame).

As per claim 3, which is dependent on claim 2, Hartel teaches:

displaying the tasks of selected checklist (task 74 of checklist 72 and task 84 of checklist 80 of fig. 4);

receiving an indication of a selected task from said selected checklist (e.g. selecting on *Before Start* task of task list 74; fig. 4);

displaying in said synoptic frame a synoptic page associated with said selected task, at least partially while said selected task is displayed (synoptic frame of fig. 2 is changed associated with the selected task from task list 74 in fig. 4).

As per claim 4, which is dependent on claim 3, according to Hartel's system, repeating said highlighting and synoptic page displaying steps for each task in said checklist is inherent; and

Hartel teaches restoring the stored frame layout (col. 9, lines 30-45).

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As per claims 5 and 6, which are both dependent on claim 1, according to Hartel's system, window of fig. 2 is a FMS frame and a navigational frame.

As per independent claim 7, it is rejected under the same rationale as claim 1.

As per independent claim 12, it is rejected under the same rationale as claims 1 and 2.

As per claim 13, which is dependent on claim 12, it is rejected under the same rationale as claim 3.

As per independent claim 14, it is rejected under the same rationale as claim 1.

As per claim 16, which is dependent on claim 14, it is rejected under the same rationale as claim 3.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartel in view of Southgate (US 5,561,757).

As per independent claims 8, Hartel teaches a method of window management on a display device for a checklist containing a plurality of tasks, said display device having a first display presented thereon, said first display having a frame layout having a first window therein, said method comprising the steps of:

listing at least on of the plurality of tasks in the checklist on the first display (checklist 72 and checklist 80 of fig. 4);

receiving a selection for a selected task of the listed at least one task e.g. selecting on *Before Start* task of task list 74; fig. 4;

determining whether a synoptic window containing synoptic information is associated with said task, (synoptic frame of fig. 2 is changed associated with the selected task from task list 74 in fig. 4) and if so:

storing the frame layout of the first display in memory (col. 9, lines 30-45);

modified Hartel does not teach reducing the size of the first window to a reduced window and displaying the reduced window. However, Southgate teaches that in col. 3, lines 33-45 and in col. 8, lines 14-27. It would have been obvious to an artisan at the time of the invention to use the teaching from Southgate of reducing the size of the first window in Hartel's system since it would fit more windows in the same display area;

displaying the synoptic window associated with said task while the reduced window is displayed (synoptic frame of fig. 2 is changed associated with the selected task from task list 74 in fig. 4);

As per claim 9, which is dependent on claim 8, Hartel teaches:
determining that the end of the checklist has been reached (col. 5, lines 43-47);
determining that a frame layout is stored in memory; and restoring said stored frame layout
(col. 9, lines 30-45).

As per claim 10, which is dependent on claim 8, it is rejected under the same rationale as claim 8.

As per claim 11, which is dependent on claim 10, Hartel teaches storing the first page layout prior to said second page displaying step (col. 9, lines 30-45).

7. Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartel in view of Roe (US 6,529,137).

As per claims 15 and 17, which are dependent on claims 14 and 16 respectively, Hartel does not teach displaying the associated synoptic information includes the step of displaying a diagram. Roe discloses that in fig. 5 col. 4, lines 17-39). It would have been obvious to an artisan at the time of the invention to use the teaching from Roe of displaying synoptic information includes the step of displaying a diagram in Hartel's system since it would help a user to understand more about the synoptic information.

Response to Arguments

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8. Applicant's arguments filed 11/19/2003 have been fully considered but they are not persuasive.

Applicants argued the following:

(a) The Examiner alleges that "the information shown in FIG. 2 is synoptic information because it is overview information related to the Normal Checklists 72 in fig. 5." Applicants respectfully disagree. "Synoptic information" is defined by Applicants as "certain data...which presents a graphical overview of a particular [aircraft] system. For example, if the checklist requires the user to check if portions of the fuel system are operating properly, it may be desirable for the user to have access to data concerning the fuel systems." See p. 2, 11. 22-26. In contrast, the information referred to in FIG. 2 of Hartel, is "a series of checklist line items...At the right-hand margin of each line item is the condition or status that must be achieved to complete the line item." Col. 7, 11. &21. Thus, nowhere does Hartel disclose or suggest displaying a graphical overview of a particular system or synoptic information.

(b) Hartel does not teach or discuss displaying synoptic information at least partially during the displaying of checklists or tasks, as recited in claims 3 and 14. Claim 3 recites, in part, displaying in, said synoptic ^{frame} ~~frame~~ a synoptic page associated with said selected task, at least ^{KK} ₁₀₄ partially while said selected task is displayed- Similarly, claim 14 recites, in part, displaying the associated synoptic information, if the associated synoptic information should be displayed, and displaying the selected task relating to said user selected checklist, at least partially during displaying the associated synoptic information. In contrast, Hartel relates to checklists and associated checklist line items that are not displayed together on a single display, nor is it remotely suggested in Hartel to do so.

(c) Neither Southgate nor Hartel disclose or suggest at least the features of independent claim 8. In particular, neither cited reference discloses displaying a synoptic window containing synoptic information. Instead, Hartel discloses displaying checklists that include checklist line items that indicate the condition or status that must be achieved to complete the line; item, while Southgate only discusses windows and does not make up for the deficiencies of Hartel. Thus, neither Southgate nor Hartel even remotely teach or suggest displaying synoptic information. Moreover, Southgate and Hartel do not disclose determining whether a synoptic window containing synoptic information is associated with a task and displaying the synoptic window associated with said task, if the synoptic information is associated with a selected task, as recited in Claim 8.

(d) Neither Roe nor Hartel disclose or suggest displaying a synoptic window containing synoptic information. Instead, Hartel discloses displaying checklists that include checklist line items that indicate the condition or status that must be achieved to complete the line item, while Roe includes a map display window. While both claims 15 and 17 include the feature of determining whether the associated synoptic information should be displayed, no determination whether to display the map display window of Roe is made. Thus, Roe does not make up for the deficiencies of Hartel.

(f) One of ordinary skill in the art would not use the teaching of Roe to come up with an aircraft checklist system that displays synoptic information, since Roe is an analogous art.

The Examiner disagrees for the following reasons:

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(a) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "graphical overview") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). According to dictionary, synoptic means, "affording a general view of a whole." Therefore, "Synoptic information" is only interpreted as a general view of particular system information as a whole. The Applicant argues, "Synoptic information" is as "certain data...which presents a graphical overview of a particular [aircraft] system"; however, the claim language does not specifically address that. "Synoptic information" itself cannot interpret as a "graphical overview". Because Fig. 2 is a general view to provide the information of the electronic checklist system (10 of fig. 1) as a whole, it is in fact synoptic information.

(b) Hartel indeed does teach the synoptic frame (28 of fig. 2) is displayed while the selected task (34 of fig. 2) is displayed.

(c), (d) Hartel's Fig. 2 is a general view to provide the information of the electronic checklist system (10 of fig. 1) as a whole; therefore, it is in fact synoptic information. Hartel's program also must determine to associate synoptic information (28 of fig. 2) to the selected task from the task list (74 of fig. 4) before displaying that synoptic information.

(f) In response to applicant's argument that Roe is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977

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F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Roe is used as a secondary reference to teach the feature of displaying a diagram in synoptic information (fig. 5; col. 4, lines 17-39) since it would help a user to understand more about the synoptic information via the diagram.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen
January 23, 2003

Kristine Kincaid
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